IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

MONDAY, THE 19TH MARCH 2007 / 28TH PHALGUNA 1928

WP(C).No. 5478 of 2006(B)

PETITIONER:

T.V. RAMANI, AGED 59 YEARS,
(W/O. LATE MR.C.A. THNKAPPAN, DEPUTY TRAFFIC MANAGER, PORTAGE DIVISION, COCHIN PORT TRUST)
ASSISTANT INS VENDURUTHY, HEAD QUARTERS,
SOUTHERN NAVAL COMMAND, NAVAL BASE, COCHIN.

BY ADV. SRI.S.RADHAKRISHNAN

RESPONDENTS:
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1. **COCHIN PORT TRUST REPRESENTED BY THE SECRETARY, COCHIN PORT TRUST PORT TRUST BUILDING, COCHIN.**

2. **THE GOVERNMENT OF INDIA REPRESENTED BY THE SECRETARY TO GOVERNMENT OF INDIA, MINISTRY OF SHIPPING ROAD TRANSPORT AND HIGHWAYS, DEPARTMENT OF SHIPPING (PORT WING), TRANSPORT BHAVAN, NEW DELHI.**

BY ADV. SRI.M.K.SUCHEENDRAN, ADDL.CGSC
SRI.A.M.SHAFFIQUE
SRI.E.K.NANDAKUMAR
SRI.A.K.JAYASANKAR NAMBIAR
SRI.B.S.KRISHNAN
SRI.JOHN VARGHESE, ASST.S.G.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/03/2007 ALONG WITH WPC.NO.15843 OF 2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.5478/2006 B

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: **COPY OF THE statement DATED 08/12/2004.**

EXT.P2: **COPY OF THE LETTER DATED 11/01/1993.**

EXT.P3: **COPY OF THE ORDER PASSED BY THE CAT, ERNAKULAM BENCH IN O.A.1913 OF 1993 DATED 10/11/1993.**

EXT.P4: **COPY OF THE O.M.NO.45/73/97-P&PW(G) DTD. 02/07/1999.**

EXT.P5: **COPY OF THE JUDGMENT PASSED BY THIS HONOURABLE COURT IN O.P.NO.1968 OF 1994 DATED 22/09/1999.**

EXT.P6: **COPY OF THE JUDGMENT PASSED BYTHE DIVISION BENCH OF THIS HONOURABLE COURT IN W.A.NO.2667 OF 1999 DATED 31/08/2005.**

EXT.P7: **COPY OF THE REPRESENTATION DATED 22/09/2005.**

EXT.P8: **COPY OF THE LETTER DATED 19/11/2005.**

EXT.P9: **RELEVANT EXTRACT OF THE RESOLUTION NO.92 (AGENDA ITEM NO.C-1) OF THE BOARD OF TRUSTEES OF THE COCHIN PORT TRUST HELD ON 18/12/2006.**

/TRUE COPY/

KSS

K.K. DENESAN, J.

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said resolution within a period of 3 months. It is not disputed that the petitioners are such kind of family pensioners who will come within the purview of the above quoted resolution and are eligible for dearness relief.

3. In the above circumstances, there shall be an order directing the respondents to see that the benefit of dearness relief is extended to the petitioners as detailed in the 'Board Note' as expeditiously as possible, at any rate, within three months from today. One of the petitioners shall serve on the Chairman of the 1st respondent-Board a copy of this judgment for information and compliance.

The writ petitions are disposed of as above.

K.K. DENESAN
JUDGE

jan/